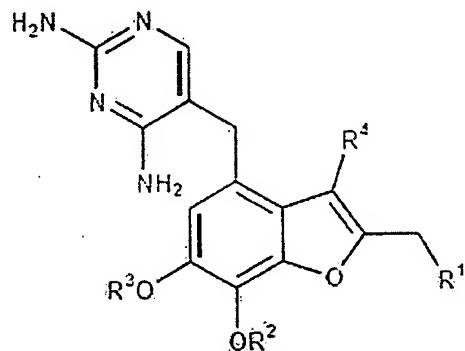


**AMENDMENTS TO THE CLAIMS**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of the Claims:**

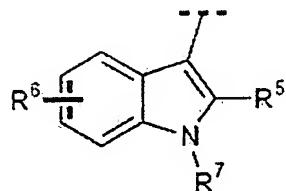
1. (Currently Amended) A compound of formula I



Formula I

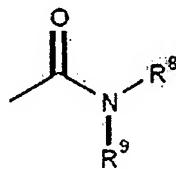
wherein

R<sup>1</sup> represents the groups.



Amendment in Response to June 24, 2008 Non-Final Office Action and  
Petition For A One-Month Extension of Time

whereby in these groups R<sup>5</sup> is hydrogen, lower alkyl with 1 to 4 carbon atoms, or the group



wherein

R<sup>5</sup> represents[[],] lower alkyloxy, lower alkylamino, or lower alkyl with 1 to 4 carbon atoms;

R<sup>9</sup> represents[[],] lower alkyl with 1 to 4 carbon atoms;

R<sup>8</sup> and R<sup>9</sup> together form a 5- or 6- membered heterocyclic ring containing one to two hetero atoms which can be the same or different and are oxygen or nitrogen;

R<sup>6</sup> represents[[],] hydrogen, halogen, nitro, or lower alkyloxy;

R<sup>7</sup> represents hydrogen;

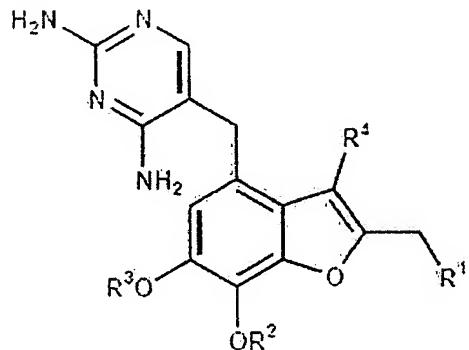
R<sup>2</sup> and R<sup>3</sup> independently represent hydrogen, lower alkyl with 1 to 3 carbon atoms, or together a lower alkylene group with 1 to 3 carbon atoms bridging the oxygen atoms and forming a five, six or seven membered ring;

R<sup>4</sup> represents hydrogen;

and or a pharmaceutically acceptable salts thereof.

2. (Currently Amended) A compound of formula I'

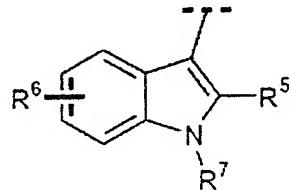
Amendment in Response to June 24, 2008 Non-Final Office Action and  
Petition For A One-Month Extension of Time



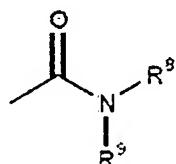
Formula I'

wherein

R<sup>1</sup> represents the groups



whereby in these groups R<sup>5</sup> is hydrogen, lower alkyl with 1 to 4 carbon atoms, or the group



wherein

R<sup>8</sup> represents[[,]] lower alkyloxy, or lower alkyl with 1 to 4 carbon atoms;

Amendment in Response to June 24, 2008 Non-Final Office Action and  
Petition For A One-Month Extension of Time

R<sup>9</sup> represents [[,]] lower alkyl with 1 to 4 carbon atoms;

R<sup>8</sup> and R<sup>9</sup> together form a 5- or 6- membered heterocyclic ring containing one to two hetero atoms which can be the same or different and are oxygen or nitrogen;

R<sup>6</sup> ~~represents~~ represents hydrogen, halogen, nitro, or lower alkyloxy;

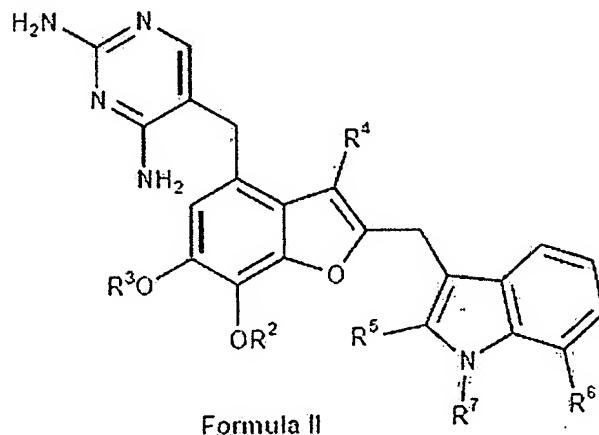
R<sup>7</sup> represents hydrogen;

R<sup>2</sup> and R<sup>3</sup> independently represent hydrogen, lower alkyl with 1 to 3 carbon atoms, or together a lower alkylene group with 1 to 3 carbon atoms bridging the oxygen atoms and forming a five, six or seven membered ring;

R<sup>4</sup> represents hydrogen;

and or a pharmaceutically acceptable salts thereof.

3. (Currently Amended) A compound of formula II



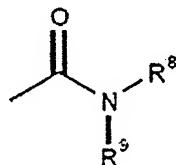
wherein

R<sup>2</sup> and R<sup>3</sup> represent methyl;

R<sup>4</sup> represents hydrogen;

Amendment in Response to June 24, 2008 Non-Final Office Action and  
Petition For A One-Month Extension of Time

R<sup>5</sup> and R<sup>6</sup> are as defined in formula I is hydrogen, lower alkyl with 1 to 4  
carbon atoms, or the group



wherein

R<sup>8</sup> represents lower alkyloxy, lower alkylamino, or lower alkyl with 1 to 4  
carbon atoms;

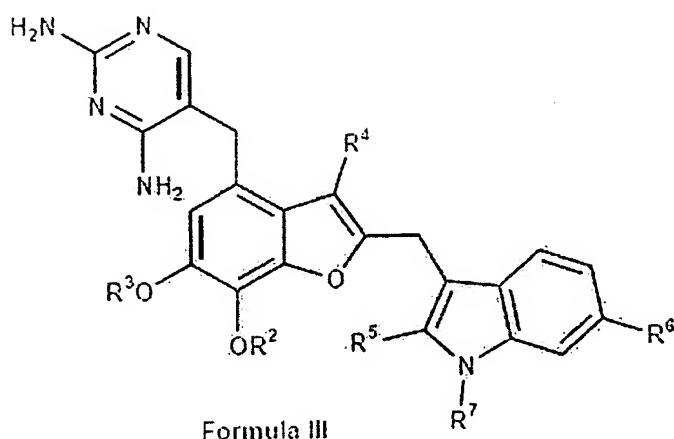
R<sup>9</sup> represents lower alkyl with 1 to 4 carbon atoms;  
R<sup>8</sup> and R<sup>9</sup> together form a 5- or 6- membered heterocyclic ring containing  
one to two hetero atoms which can be the same or different and are oxygen or nitrogen;

R<sup>6</sup> represents hydrogen, halogen, nitro, or lower alkyloxy;

R<sup>7</sup> represents hydrogen;

and or a pharmaceutically acceptable salt thereof.

4. (Currently Amended) A compound of formula III



Formula III

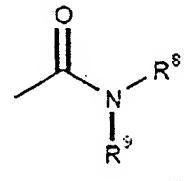
DOCSNY-317886v01

wherein

$R^2$  and  $R^3$  represent methyl;

$R^4$  represents hydrogen;

$R^5$  and  $R^6$  are as defined in formula I is hydrogen, lower alkyl with 1 to 4 carbon atoms, or the group



wherein

$R^8$  represents lower alkyloxy, lower alkylamino, or lower alkyl with 1 to 4 carbon atoms;

$R^9$  represents lower alkyl with 1 to 4 carbon atoms;

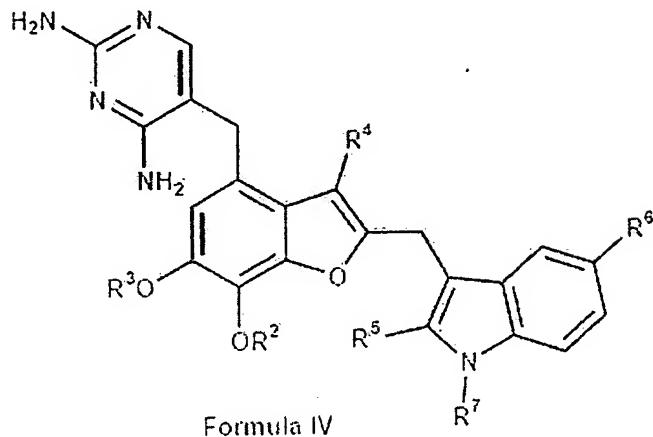
$R^8$  and  $R^9$  together form a 5- or 6- membered heterocyclic ring containing one to two hetero atoms which can be the same or different and are oxygen or nitrogen;

$R^6$  represents hydrogen, halogen, nitro, or lower alkyloxy;

$R^7$  represents hydrogen;

and or a pharmaceutically acceptable salt thereof.

5. (Currently Amended) A compound of formula IV

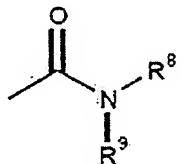


wherein

$R^2$  and  $R^3$  represent methyl;

$R^4$  represents hydrogen;

$R^5$  and  $R^6$  are as defined in formula I is hydrogen, lower alkyl with 1 to 4 carbon atoms, or the group



wherein

$R^8$  represents lower alkyloxy, lower alkylamino, or lower alkyl with 1 to 4 carbon atoms;

$R^9$  represents lower alkyl with 1 to 4 carbon atoms;

Amendment in Response to June 24, 2008 Non-Final Office Action and  
Petition For A One-Month Extension of Time

R<sup>8</sup> and R<sup>9</sup> together form a 5- or 6- membered heterocyclic ring containing  
one to two hetero atoms which can be the same or different and are oxygen or nitrogen;

R<sup>6</sup> represents hydrogen, halogen, nitro, or lower alkyloxy;

R<sup>7</sup> represents hydrogen;

and or a pharmaceutically acceptable salts thereof.

6. (Currently Amended) The compound of claim 1 selected from the group  
consisting of:

5-[6,7-Dimethoxy-2-(7-methoxy-1H-indol-3-ylmethyl)-benzofuran-4-  
ylmethyl]-pyrimidine-2,4-diamine;

5-[6,7-Dimethoxy-2-(5-methoxy-1H-indol-3-ylmethyl)-benzofuran-4-  
ylmethyl]-pyrimidine-2,4-diamine;

5-[2-(1H-Indol-3-ylmethyl)-6,7-dimethoxy-benzofuran-4-ylmethyl]-  
pyrimidine-2,4-diamine;

5-[6,7-Dimethoxy-2-(2-methyl-1H-indol-3-ylmethyl)-benzofuran-4-  
ylmethyl]-pyrimidine-2,4-diamine;

5-[2-(6-Fluoro-1H-indol-3-ylmethyl)-6,7-dimethoxy-benzofuran-4-  
ylmethyl]-pyrimidine-2,4-diamine;

{3-[4-(2,4-Diamino-pyrimidin-5-ylmethyl)-6,7-dimethoxy-benzofuran-2-  
ylmethyl]-1H-indol-2-yl}-morpholin-4-yl-methanone;

3-[4-(2,4-Diamino-pyrimidin-5-ylmethyl)-6,7-dimethoxy-benzofuran-2-  
ylmethyl]-1H-indole-2-carboxylic acid dimethylamide;

Amendment in Response to June 24, 2008 Non-Final Office Action and  
Petition For A One-Month Extension of Time

5-[6,7-Dimethoxy-2-(5-nitro-1H-indol-3-ylmethyl)-benzofuran-4-ylmethyl]-pyrimidine-2,4-diamine;

{3-[4-(2,4-Diamino-pyrimidin-5-ylmethyl)-6,7-dimethoxy-benzofuran-2-ylmethyl]-1H-indol-2-yl}-pyrrolidin-1-yl-methanone;

3-[4-(2,4-Diamino-pyrimidin-5-ylmethyl)-6,7-dimethoxy-benzofuran-2-ylmethyl]-5-methoxy-1H-indole-2-carboxylic acid dimethylamide;

3-[4-(2,4-Diamino-pyrimidin-5-ylmethyl)-6,7-dimethoxy-benzofuran-2-ylmethyl]-1H-indole-2-carboxylic acid methoxy-methyl-amide;

5-Chloro-3-[4-(2,4-diamino-pyrimidin-5-ylmethyl)-6,7-dimethoxy-benzofuran-2-ylmethyl]-1H-indole-2-carboxylic acid dimethylamide;

3-[4-(2,4-Diamino-pyrimidin-5-ylmethyl)-6,7-dimethoxy-benzofuran-2-ylmethyl]-5-fluoro-1H-indole-2-carboxylic acid dimethylamide;

5-Chloro-3-[4-(2,4-diamino-pyrimidin-5-ylmethyl)-6,7-dimethoxy-benzofuran-2-ylmethyl]-1H-indole-2-carboxylic acid methoxy-methyl-amide;

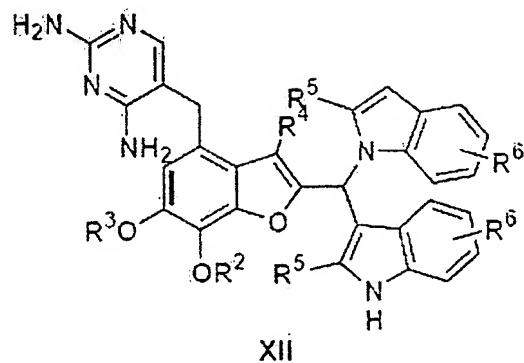
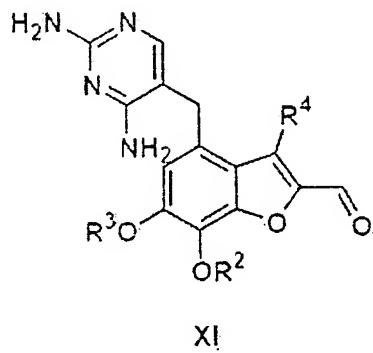
3-[4-(2,4-Diamino-pyrimidin-5-ylmethyl)-6,7-dimethoxy-benzofuran-2-ylmethyl]-1H-indole-2-carboxylic acid N,N'-dimethyl-hydrazide;

3-[4-(2,4-Diamino-pyrimidin-5-ylmethyl)-6,7-dimethoxy-benzofuran-2-ylmethyl]-5-fluoro-1H-indole-2-carboxylic acid methoxy-methyl-amide;

and or a pharmaceutically acceptable salts thereof.

7. (Currently Amended) An intermediate compound of formula XI and XII

Amendment in Response to June 24, 2008 Non-Final Office Action and  
Petition For A One-Month Extension of Time



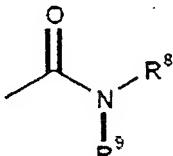
wherein  $R^2$ ,  $R^3$ ,  $R^4$ ,  $R^5$  and  $R^6$  have the meaning given in formula I in claim

1 and 2.

$R^2$  and  $R^3$  independently represent hydrogen, lower alkyl with 1 to 3 carbon atoms, or together a lower alkylene group with 1 to 3 carbon atoms bridging the oxygen atoms and forming a five, six or seven membered ring;

$R^4$  represents hydrogen;

$R^5$  is hydrogen, lower alkyl with 1 to 4 carbon atoms, or the group



wherein

$R^8$  represents lower alkyloxy, lower alkylamino, or lower alkyl with 1 to 4 carbon atoms;

$R^9$  represents lower alkyl with 1 to 4 carbon atoms;

R<sup>8</sup> and R<sup>9</sup> together form a 5- or 6- membered heterocyclic ring containing one to two hetero atoms which can be the same or different and are oxygen or nitrogen; and

R<sup>6</sup> represents hydrogen, halogen, nitro, or lower alkyloxy.

8. (Previously Presented) A pharmaceutical composition comprising one or more compounds of claim 1 and a pharmaceutically acceptable inert carrier material.

9. (Cancelled)

10. (Cancelled)

11. (Cancelled)

12. (Cancelled)

13. (Cancelled)

14. (Cancelled)

15. (Cancelled)

16. (Previously Presented) A process for the manufacture of a pharmaceutical composition containing one or more compounds as claimed in claim 1 as active ingredients, which process comprises mixing one or more active ingredients with a pharmaceutically acceptable inert carrier material and/or an adjuvant.

17. (Cancelled)

18. (Previously Presented) A process for the manufacture of a pharmaceutical composition comprising one or more compounds as claimed in claim 6 as active ingredients, which process comprises mixing one or more active ingredients with a pharmaceutically acceptable inert carrier material and/or an adjuvant.

19. (Previously Presented) A pharmaceutical composition comprising one or more compounds of claim 6 and a pharmaceutically acceptable inert carrier material.

20. (Currently Amended) A method for treating an a-bacterial infection caused by a bacterium that can be inhibited through inhibition of its dihydrofolate reductdase enzyme by comprising administering to a subject in need thereof an effective amount of the compound of claim 1.

21. (Currently Amended) The method of claim 20, wherein the bacterium is bacterial infection is caused by a Gram positive pathogen or a Gram negative pathogen.

22. (Currently Amended) A method for treating an a-bacterial infection caused by a bacterium that can be inhibited through inhibition of its dihydrofolate reductdase enzyme by comprising administering to a subject in need thereof an effective amount of the compound of claim 6.

23. (Currently Amended) The method of claim 22, wherein the bacterium is bacterial infection is caused by a Gram positive pathogen or a Gram negative pathogen.